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TAGS: [PGOV](#) [PREL](#) [EC](#)

SUBJECT: WHO WILL LEAD ECUADOR'S CONGRESS?

Classified By: Ambassador Kristie A. Kenney, Reasons 1.4 (b)

11. (U) SUMMARY: January 5 marks the mid-point of the congressional term in Ecuador; on that date, legislators will elect a president, two vice presidents, and the membership of 18 committees to lead Congress until January 2007. The presidential race, pitting opposition (ID) and pro-government (PRE) parties, promises to be close, controversial, and quite possibly chaotic. Both organizations claim entitlement to the legislature's highest position, yet appear to lack the votes necessary to invest respective candidates. As such, small parties and independent deputies are likely to play a deciding role in the vote. Neither party's nominee consistently has staked pro- or anti-U.S. positions; USG interests are best served by the candidate most dedicated to tackling Congress's ample agenda. END SUMMARY.

Constitutional Questions Muddy Internal Elections

12. (U) Ecuador's constitution awards the presidency of Congress during the first half of the term to the party "with the greatest legislative representation;" the first vice-presidency belongs to the second-ranking organization (with minority parties owning the second VP slot). At the two-year mark, the parties swap positions, the second-ranking organization inheriting Congress's top job. The Social Christian Party (PSC) won 26 of the legislature's 100 seats in Ecuador's October 2002 elections, easily surpassing the ID (16) and PRE (15) totals. For reasons still unclear, in the elections' aftermath PSC leader and Congressional Deputy Leon Febres-Cordero refused the leadership position entitled to his party.

13. (U) The presidency thus fell to the second-most voted party, apparently the ID. PRE leaders protested, pointing out that two of the ID's deputies won office in alliances with other parties and should not count toward the ID's total. The PRE's 15 were "pure PRE," however, entitling the Coast-based, populist party of former President Abdala Bucaram to the presidency. In response to pleas from both groups, Ecuador's Supreme Electoral Tribunal (TSE) considered the matter in late 2002, but issued an inconclusive finding. The controversy diminished only after Congress itself passed a resolution proclaiming the ID Ecuador's second political force and allowing Deputy Guillermo Landazuri to assume the presidency.

Gutierrez Comeback, Alliance Threaten Continued ID Reign

14. (U) Until barely two months ago, few believed the PRE could challenge the ID for Congressional leadership. Bucaram's forces enjoyed few legislative allies apart from President Lucio Gutierrez's Patriotic Society Party, and the president, facing ID- and PSC-supported impeachment charges, was fighting for his political life. Removal proceedings faltered November 9, however, and Gutierrez, with PRE backing, counterattacked. Via resolutions passed by a slight majority in Congress, the president and allies in the legislature purged Ecuador's highest courts of most PSC influence. They have now turned sights on Congress, with PRE leaders demanding the top legislative job for 2005-2007.

15. (SBU) They continue to trumpet the "pure vs. alliance" argument to justify the party's standing as Ecuador's second-ranking political party. In addition, PRE bosses claim that two defections have reduced the ID's total deputy count to 14, removing any claim by the latter to the presidency. Ecuador's imprecise constitution and a characteristic of the Spanish language -- heavy use of the subjunctive -- lend weight to second point, since Article 129 states that "for the second two years, the president and vice president will be elected from the parties and movements that have obtained (hayan obtenido) the second and first majorities, respectively."

16. (U) From self-imposed exile in Panama, Bucaram December 27 announced that Deputy Omar Quintana should take Congress's reins at the January 5 election. Quintana, a Guayaquil businessman and the brother-in-law of PRIAN party founder and presidential candidate Alvaro Noboa, enjoys full PRE, PRIAN and PSP support. However, smaller parties that pepper the

current majority in Congress, namely the far-left Socialists and MPD, have withheld backing. MPD officials announced December 30 they favor a different PRE candidate, Marco Proano, for the post.

17. (U) Dissension appeared to plague ID ranks as well. Rather than one, ID leadership December 29 presented four "pre-candidates" for the presidency of Congress: Carlos Gonzalez, Wilfrido Lucero, Jorge Sanchez, and Andres Paez. Guayaquil daily El Universo claimed January 4 that ID leadership, in a three-hour meeting, chose Lucero, a veteran legislator and member of the International Relations committee. Lucero's staff later confirmed the El Universo account.

All Signs Point to Confusion

18. (U) Pablo Santillan, for 11 years a Congressional staffer and currently director of legislative services, provided Poloff December 30 his analysis of the PRE-ID dispute and a possible scenario of January 5 events. Blame for the impasse lay with the TSE for not issuing a definitive ruling naming the PRE or ID Ecuador's second party for the full 2003-2007 term. The legislature's subsequent, pro-ID resolution was politically motivated and thus open to challenge from Congress itself, Santillan reasoned. And the PRE might have votes to do it.

19. (U) He foresaw lame-duck Congressional President Landazuri opening the legislative session by referring to the earlier resolution favoring the ID. Landazuri would announce the ID's candidate and open the floor to debate. Santillan doubted sufficient support existed, however. Instead, Landazuri would have to accept the PRE demand to open discussion on Omar Quintana. Quintana had support from the PRE, PRIAN, PSP and many independents, and the MPD likely would support him after its political wish list was met. It still did not sum to 51, Santillan feared, meaning lengthy, loud, and messy negotiation would follow. PSC Deputy Carlos Torres predicted a similar scenario in a December 29 conversation with Poloff.

Interested Parties Speak Out

10. (SBU) PRE Deputy Ernesto Valle provided us the party line December 29. The PRE's right to the legislative presidency lay in Article 129 of the constitution, Valle argued. His party was determined not to allow the ID to steal it again. Omar Quintana enjoyed the support of both Bucaram and grassroots PRE leaders, and pressure from allied parties, no matter how strong, would not sway PRE leadership. Valle, too, believed the MPD would come around, after its leaders obtained PRE promises for a stronger MPD presence in the Legislative and Codification Commission, a body that backstopped Congress when it was out of session. The Socialists were demanding control over Ecuador's Social Security program (IESS), a harder demand to meet, he believed, but not impossible.

11. (U) Edy Suarez, an aide to Socialist legislator Segundo Serrano, informed Poloff December 30 that his party had yet to determine how to cast its votes. It did not see itself as a government ally nor opponent, and would consider both the ID and PRE candidates. A fellow minority party, the MPD had done well to link its vote to promises to share political riches; the Socialists might do the same. Surprisingly, Suarez considered his party ideologically closer to the populist PRE than the left-center ID, hinting that, if forced to choose, the Socialists would support Quintana.

12. (SBU) Electing a PRE deputy president of Congress was unconstitutional, ID pre-candidate Andres Paez told Poloff December 30, himself citing Article 129 and the legislature's earlier resolution favoring his party. Worse, it represented an additional step toward a Gutierrez "dictatorship," as dangerous as December's judicial purge. The ID had but 42 secure votes and securing nine more looked difficult, Paez added.

COMMENT:

13. (C) Ecuador's rapidly shifting alliances and general political cannibalism make us expect a messy and unpredictable legislative battle January 5. The most likely outcome, a PRE victory, would represent a further step in Gutierrez's remarkable and rapid comeback, reinforcing his flanks against future Congressional attempts to remove him. It might also raise concern and protest, however, amongst opposition groups perceiving a dangerous concentration of government powers.

14. (C) The legislature faces a daunting agenda in 2005. Many projects involve U.S. interests, from ratifying the Andean Free Trade Agreement (if signed) to approving bilaterally beneficial civil aviation, anti-TIP, and anti-money laundering legislation. We stand to benefit should a workaholic, issues-focused legislator win the presidency. Neither Lucero nor Quintana are standouts in this regard, however. END COMMENT.
KENNEY